IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 4324 OF 2007

Shri N.J. Rane & Anr. ...Petitioners
V/s.
The State of Maharashtra & Ors. ...Respondents

Mr.Parag Kale for the Petitioners.
Mr.A.H. Palekar, AGP for the State.

CORAM : D.K. DESHMUKH &
V.M. KANADE, JJ.

DATED : NOVEMBER 21, 2007

P.C. :-

. Respondent no.4 is owner of the land which is subject matter of proceeding under the Urban Land Ceiling Act. They applied for exemption of their land from the provisions of Urban Land Ceiling Act. The petitioner claims to be co-operative society of the employees of respondent no.4. It appears that they had filed writ petition before this Court being Writ Petition No.5137/2002. That writ petition has been disposed of by order dated 11.9.2002. The Court has directed that while deciding the application submitted for exemption by respondent no.4, the petitioner should

be heard.

2. On the application filed by the respondent no.4 before the State Government, an order has been made by the State Government dated 30.10.2006. By that order, the State Government has not decided the application. The State Government has remitted the matter back to the Competent Authority for consideration.

3. The grievance of the petitioner is that before making order, the petitioner was not heard and therefore, according to the petitioner, the order should be set aside.

4. In our opinion, the petitioner cannot have any grievance against the order of the State Government because by that order, the application of respondent no.4 for exemption has not been decided. It has been remitted back to the Competent Authority for consideration. It is obvious that pursuant to the earlier order of this Court referred to above, the petitioner will have now to approach the Competent

Authority for being heard while the Competent Authority decides the application of the respondent no.4 for exemption under Section 20. The entire petition is misconceived.

. Writ Petition is rejected.

(D.K. DESHMUKH, J.)

(V.M. KANADE, J.)